



## New Jersey Department of Children and Families Policy Manual

Manual:	CP&P	Child Protection and Permanency	Effective Date:
Volume:	X	Forms	
Chapter:	A	Forms	10-22-2012
Subchapter:	1	Forms	
Issuance:	9.84	<b>CP&amp;P Form 9-84, Notice of Change of Child Abuse or Neglect Finding (AHU)</b>	

[Click here to view, or print the DCF Form 9-84, Notice of Change of Child Abuse or Neglect Finding \(AHU\).](#)

**Special Note:** This notification form is completed by the DCF Administrative Hearings Unit (AHU) only. These form instructions guide the AHU in preparing the form by use of Macros. The form is presented here in "read only" format. Colored sections are optional sections of the notice, which may or may not be included in each letter, depending on the circumstances of the case.

### WHEN TO USE IT

The Administrative Hearing Unit (AHU) uses the DCF Form 9-84, Notice of Change of Child Abuse or Neglect Finding (AHU), to notify previously identified perpetrators/appellants and other appropriate parties when a finding has been reversed from "Substantiated" to "Unfounded" or "Not Substantiated" (for investigations conducted prior to April 1, 2005). AHU completes the form:

- During the appeal process by DCF or a court action, or
- During a CARL review; and
- When "substantiation" letters were previously issued.

"Other appropriate parties" include all individuals who received a notice of the original "Substantiated" finding (e.g., State or local police, facility Administrator).

The DCF Form 9-84 is prepared for, and signed by, the Administrator of the Administrative Hearings Unit, or his or her designee:

- After the issuance of a Final Agency Decision on an appeal; or
- When an Administrative Review Officer:

- Reviews a CARI check and finds that the person being reviewed:
  - Has the right to an appeal but was not advised of that right (cases from June 29, 1995 and before), or
  - Should have been sent a notice of appeal rights, but the notice was not sent out or can not be located in the file (cases after June 29, 1995);
- Reverses the finding during the review from "Substantiated" to "Unfounded" or "Not Substantiated;" and
- A "Substantiation" letter (CP&P Form 9-28, Notification Letter to Perpetrator (Confirmed), If Child Abuse/Neglect is Substantiated, or IAIU Form 3-17, IAIU Letter to Confirmed Perpetrator, Substantiated) was previously sent to the previously identified perpetrator/appellant and to other appropriate parties.

Note: CP&P Local Offices, the Institutional Abuse Investigation Unit (IAIU) and the Public Defender Conflict Investigation Unit (PDCIU) complete DCF Form 9-83 to notify previously identified perpetrators/appellants of the reversed finding. The Local Offices, IAIU, PDCIU, and AHU use the CP&P Form 9-82 to notify non-offending parents/caregivers that findings have been reversed.

## **CONFIDENTIALITY**

When preparing the notice, AHU takes precautions to respect the confidentiality of agency files and client information. When there are multiple previously identified perpetrators/appellants:

- Write separate, individualized notices to each previously identified perpetrator/appellant whose finding was reversed on appeal.
- Provide information pertinent to that individual only. Do not include identifying information about any other previously identified perpetrator(s) or appellant(s) associated with the investigation.

## **HOW TO USE IT**

- AHU prepares this notice within 30 days of the change in findings, using the template in the on-line Forms Manual (1-10).
- Follow the instructions given below for check box choices that will appear in the dialog box. This will format the letter for the appropriate

responses based on the applicable option. The unwanted options will disappear.

- Depress the tab key to navigate between the text fields and drop down boxes in the template.
- Print the letter on office letterhead.

## **TIPS FOR COMPLETING THE FORM**

When opening the form, click on "Enable Macros" when prompted:

- A dialog box will appear. Check the applicable box to indicate whether:
  - The case finding was determined "Not Substantiated" or "Unfounded." Check the appropriate option. This will format the letter for the appropriate finding and information regarding the "retention of records."

For investigations conducted prior to April 1, 2005, findings may also be reversed to "Not Substantiated." Not Substantiated was eliminated as a finding determination for CPS reports received on or after April 1, 2005.

- For the second set of check box choices, check only one option, as follows:
  - Check the first option, if the reversal was due to the issuance of a Final Agency Decision based on an appeal.
  - Check the second option, if the reversal was due to a CARI review and records documenting the incident were available for consideration.
  - Check the third option, if the reversal was due to a CARI review and the parent/caregiver has appeal rights but records documenting the incident(s) under consideration could not be located.
- For the third set of check box choices:
  - Check the applicable box to indicate whether an Administrative Hearings number and/or an OAL docket number was/were assigned to the case. Check the appropriate options. When the form opens, type in the number(s).

- Only check "Show Intake ID #," if the appeal involved an IAIU investigation.

Certain fields or portions of the notice under the dialog box will be highlighted. After fields are checked in the dialog box, the highlighting and the fields that do not apply will disappear. If any highlighting remains, the form did not function properly. Close the form, do not "save," open it again, and again select the appropriate check boxes.

When completing the list of recipients, enter each recipient's name and title or relationship to the child (e.g., appellant, Chief of Police of the (town) Police Department, Captain of the NJ State Police Troop (A to E), facility Administrator).

Enter the reversal of findings into the Appeals Window in NJS, which will automatically change (prefill) the findings in the Investigation Tab. Enter the reason for the reversal in the Comments Section of the Appeal Window. See NJS How Do I Guide - Legal Forms.

## **DISTRIBUTION**

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|----------|---|
| Original | <ul style="list-style-type: none"> <li>- Appellant</li> <li>- Other parties, who were advised of the finding of "Substantiated" (now changed), as applicable: <ul style="list-style-type: none"> <li>State/local police</li> <li>Facility Administrator</li> <li>Others, as permitted under N.J.S.A. 9:6-8.10a</li> </ul> </li> </ul> |
| Copy     | <ul style="list-style-type: none"> <li>- Child's case record</li> <li>- Local Office Manager</li> <li>- Director of IAIU (other IAIU files, as applicable)</li> <li>- Administrative Hearings Unit</li> </ul>   |

Note: If the case is closed, only the AHU retains a copy of this notice.